

EXHIBIT H

THE CITY OF REVERE, MASSACHUSETTS

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Revere, MA 02151



OFFICE OF THE CITY SOLICITOR

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Thomas G. Ambrosino
Mayor

June 8, 2006

VIA FACSIMILE ONLY - 617-227-9231

James S. Dilday, Esq.
Grayer & Dilday, LLP
27 School Street, Suite 400
Boston, MA 02108

Re: Pechner-James, et al., v. City of Revere, et al.

Dear Attorney Dilday:

I called this morning and left you a rather detailed message concerning the remaining deposition time to which I am entitled pursuant to the Omnibus Discovery Order. My clients were given 2 and ½ days with each plaintiff. The rules define a deposition day as 7 hours. Thus, I have 17.5 hours per plaintiff. With respect to Sonia Fernandez, by my calculation, I have used approximately 10.5 hours over three days (5/12, 5/16 & 6/2). Thus, I am entitled to at least 1 additional day of deposition time with Sonia Fernandez. Likewise, with respect to Terri Pechner, by my calculation, I have used approximately 13.5 hours over three days (5/5, 5/25 & 6/7). Thus, I am entitled to at least an additional 4 hours of deposition time with Terri Pechner. For the record, at yesterday's deposition session, Ms. Pechner was again very contentious, confrontational and non-responsive, thus, I believe that I am entitled to some time back as a result thereof. In other words, I believe that I am entitled to at least 1 additional day of deposition time with Terri Pechner as well.

Additionally, we asked Ms. Thorne to speak to you about moving the Monday, June 12, 2006, deposition to Tuesday, June 13, 2006, due to a calendar conflict on my part. As part of this request, we indicated that the deposition could be conducted here at City Hall for the City of Revere. The deponent would be Terri Pechner.

Finally, an additional purpose of this letter is to meet and confer as required by Federal Rules of Civil Procedure 37 and Local Rules 7.1 and 37.1 regarding the deposition schedule in this case. While I realize that Judge Sorokin counseled us to meet and confer by telephone, I called this morning and you were not in. I believe that I am entitled to more deposition time with your clients, especially Terri Pechner, due to the frequent late starts and early departures, the constant argumentativeness and combativeness of the witness (Pechner)

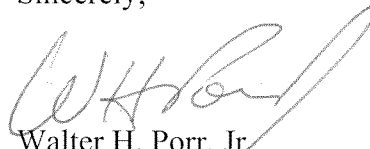
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and the further fact that in light of the sheer volume of allegations being made, time period to be covered and volume of medical and other records related thereto, that the allotted time simply is insufficient to properly examine about all of these areas. I presume that neither of your clients is prepared to limit their claims and that they fully intend to testify about every perceived wrong or instance of discrimination from the date of their employ, September of 1995, until they were retired (2002 – Pechner and 2004 – Fernandez). Thus, I believe that I am entitled to a deposition that covers all of these issues as well. I have tried to proceed in an orderly (chronological) and productive manner, but the volume of material in issue simply takes time. Thus, I am requesting additional time with each witness to complete my examination.

I also believe that we are entitled to Sonia Fernandez's medical record from May 18, 2006. Her deposition testimony and the Dr's. note are inconsistent to say the least, and her deposition testimony strongly suggests that the Dr's. appointment was an afterthought which did not materialize until after I had filed my pleading related to the aborted deposition session that morning. Thus, in the absence of voluntarily producing the record, we will seek an order compelling its production.

Finally, by carbon copy of this letter, I am asking attorney Akerson to follow-up with you to confirm the change of deposition date from June 12 to June 13 and the change of location from Worcester to Revere and that Terri Pechner will be the deponent.

Sincerely,

A handwritten signature in black ink, appearing to read "WHP", with a long, sweeping horizontal stroke extending to the right.

Walter H. Porr, Jr.
Assistant City Solicitor

cc: Michael Akerson, Esq., via fax 508-754-7220